# FGDC Subcommittee on Cultural and Demographic Data (SCDD) Charter

## I.PURPOSE OF THE EXHIBIT

This exhibit designates the lead agency for the coordination of Federal agency activities related to geospatially referenced cultural and demographic data financed in whole or part by Federal funds and defines the responsibilities of the Subcommittee on Cultural and Demographic Data (SCDD) in establishing mechanisms for coordinated development, use, sharing, and dissemination of these data.

#### II. AUTHORITY

Under the authority granted by the Office of Management and Budget in its Circular A-16, as revised in October, 1990, the responsibility to coordinate government-wide activities related to cultural and demographic geospatially referenced data is assigned to the Department of Commerce. This government\_wide leadership for the coordination of cultural and demographic geospatially referenced data is carried out under the policy guidance and oversight of the Federal Geographic Data Committee (FGDC). Pertinent enabling authority also resides in the language of the acts, codes, mandates, and so forth defining the functions and responsibilities of the member agencies, as follows:

## • Department of Agriculture

## U.S. Forest Service

- Title 16, United States Code 1600, The National Forest Management Act of 1976
- Title 16, United States Code 1601, The Forest and Rangeland Renewable Resources Planning Act of 1974
- Public Law 86-517, 74 Stat 215, The Multiple Use Sustained Yield Act of 1960

#### • Department of the Army

o <u>U.S. Army Corp. of Engineers</u>

#### Laws dealing with navigation

- Commerce Clause of the Constitution and Supreme Court decisions, Navigation, General
- Public Law 99-662, Section 101, 1986 WRDA, Navigation, Harbors
- Public Law 99-662, Section 102, 1986 WRDA, Navigation, Inland Waterways
- Public Law 86-645, Section 107, 1960 RHA (as amended),
   Navigation, Continuing Authority (Small Project Program)
- Public Law 79-14, Section 3, 1945 RHA, Navigation, Continuing Authority (Clearing and Snagging)

- Public Law 90-483, Section 111, 1968 RHA (as amended) and Public Law 99-662, Section 940, 1986 WRDA, Navigation Continuing Authority - Mitigation of Damages
- Public Law 99-662, Section 103 (c)(4), 1986 WRDA, Navigation, Recreation
- Public Law 60-317, Section 6 of 1909 RHA, Navigation, Lock and Dam Replacement

#### Laws dealing with flood control

- Public Law 74-738, Sections 1 and 3, 1936 FCA; Public Law 77-228, Section 2, 1941 FCA; and Public Law 99-662, Section 103, 1986 WRDA, Flood Control, Structural
- Public Law 93-251, Section 73, 1974 WRDA and Public Law 99-662, Section 103 (b), 1986 WRDA, Flood Control, Nonstructural
- Public Law 80-858, Section 205, 1948 FCA (as amended), Flood Control, Continuing Authority (Small Project Program)
- Public Law 83-780, Section 208, 1954 FCA (as amended), Flood Control, Continuing Authority (Clearing and Snagging)
- Public Law 84-99, Act of 1955 (as amended), Flood Control, Emergency Authority
- Public Law 86-645, Section 206, 1960 FCA (as amended), Flood Plain Management Services Program

## <u>Laws dealing with Hurricane and Storm Damage</u> Reduction

- Public Law 79-727, 1946 Act (as amended) and Public Law 99-662, Sections 103 (c)(5) and (d), 1986 WRDA, Hurricane and Storm Damage Reduction, Shore Protection (Including Beach Erosion Control), General
- Public Law 84-826, 1956 Act, Hurricane and Storm Damage Reduction, Shore Protection Periodic Nourishment
- Public Law 87-874, Section 103, 1962 R&HA and Public Law 99-662, Sections 103 (c), 103 (d), 103 (i), and 915 (3), WRDA 1986, Hurricane and Storm Damage Reduction, Continuing Authority

## Shore Protection

 Public Law 79-526, Section 14, 1946 FCA (as amended); Public Law 93-251, Section 27, WRDA of 1974; and Public Law 99-662, Section 915 (c), WRDA of 1986, Streambank and Shoreline Protection, Continuing Authority Program

## Laws dealing with Hydroelectric Power

 Various Congressional statutes direction consideration of power, Hydroelectric Power, General  Public Law 75-761, Section 4, 1986 FCA and subsequent authorizing acts, Hydroelectric Power - Facilities for Future Power Installations (Minimum Provisions)

## Laws dealing with the Water Supply

- Public Law 85-500, Water Supply Act of 1958 (as amended) and Public Law 99-662, Section 932 of the WRDA of 1986, Water Supply, Storage
- Public Law 78-534, Section 6, 1944 FCA, Water Supply, Surplus Water
- Public Law 78-534, Section 6, 1944 FCA, Water Supply, Minor Withdrawals
- Public Law 78-534, Section 4, 1944 FCA (as amended) and Public Law 99-662, Section 103 (c)(4), 1986 WRDA, Recreation - Pre Public Law 89-72 Reservoir Projects
- Public Law 89-72, Federal Water Project Recreation Act, 1965 (as amended) and Public Law 99-662, Section 103 (c)(4), 1986
   WRDA, Recreation Post Public Law 89-72
- Public Law 78-534, Section 4, 1944 FCA; Public Law 89-72, Federal Water Project Recreation Act, 1965; and Public Law 99-662, Section 103 (c)(4), 1986 WRDA, Recreation - Non-Reservoir Projects

## Laws dealing with Fish and Wildlife

- Public Law 85-624, F&WL Coordination Act, 1958 and Public Law 99-662, Sections 103 (c) and 906, 1986 WRDA, Fish and Wildlife - Mitigation
- Public Law 89-72, Federal Water Project Recreation Act and Public Law 99-662, Section 906 (e), 1986 WRDA, Fish and Wildlife- Enhancement

#### Laws dealing with Water Quality

- Public Law 92-500, Section 102 (as amended), Clean Water Act and Public Law 99-662, Section 103 (c) and (d), 1986 WRDA, Flow Regulation - Water Quality Control
- Public Law 92-500, Section 102, Clean Water Act of 1972 (as amended) and Public Law 99-662, Sections 103 (c) and (d), 1986 WRDA, Flow Regulation - Other Than Water Quality Control

## Other Laws

- Public Law 94-587, Section 105, 1976 WRDA, Wetlands Creation
   Continuing Authority
- Public Law 89-298, Section 302 (as amended) and Public Law 99-662, Sections103 (c)(6) and 941, 1986 WRDA, Aquatic Plan Control

- Public Law 91-611, Section 216, 1970 FCA and Public Law 99-662, Sections 103, 105 and 905, 1986 WRDA, Review of Completed Projects Program
- Public Law 93-251, Section 22, 1974 WRDA (as amended),
   Planning Assistance to States (Section 22)

#### • Department of Commerce

- o <u>U.S. Census Bureau</u>
  - Title 13. United States Code
- <u>National Oceanic and Atmospheric Administration (NOAA), National</u>
   <u>Ocean Service, Office of Ocean Resources Conservation and Assessment</u>
  - Title 16, United States Code, Section 1431 et seq, The National Marine Sanctuaries Act (otherwise known as Title III of the Marine Protection, Research, and Sanctuaries Act (MPRSA)
  - Public Law 101-365, Title 16, United States Code, Section 133,
     Florida Keys National Marine Sanctuary and Protection Act
  - Title 33, United States Code, Section 883 a i, Coast and Geodetic Survey Act
  - Public Law 102-587, Oceans Act of 1992
  - Title 33, United States Code 2801- 2805, National Coastal Monitoring Act
  - Title 33, United States Code, Section 2701 et seq, Oil Pollution Act of 1990
  - Title 33, United States Code, Sections 1441 1445, Ocean Dumping Act (otherwise known as Title II of MPRSA)
  - Title 16, United States Code, Sections 1531- 1543, Endangered Species Act
  - Title 16, United States Code, Section 1361 et seq, Marine Mammal Protection Act
  - Title 16, United States Code, Section 4701 et seq, Nonindigenous Aquatic Nuisance Prevention and Control Act
  - Title 43, United States Code, Sedion 1331 et seq and 1801 et seq, Outer Continental Shelf Lands Act, as amended
  - Title 33, United States Code, Section 1251 and Section 1254 (a), Federal Water Pollution Control Act, as amended, also known as the Clean Water Act
  - Title 33, United States Code, Section 1271, National Contaminated Sediment Assessment and Management Act (portion thereof)
  - Title 33, United States Code, Section 2401 et seq, Organotin Antifouling Paint Control Act of 1988
  - Title 16, United States Code, Sections 3901 3923, Emergency Wetlands Resources Act of 1986 (portions thereof)
  - Title 16, United States Code, Sections 2001 2009, Soil and Water Resources Conservation Act of 1977

#### • Department of Education

- National Center for Education Statistics (NCES)
  - General Education Provision Act, Section 406

## • Department of Health and Human Services

- National Center for Health Statistics (NCHS)
  - Public Law 93-357, The Health Services Research and Evaluation and Health Statistics Act
  - Title 42, United States Code 242, Section 306, The Public Health Services (PHS) Act

## • Department of Housing and Urban Development

- Office of Policy Development and Research
  - Public Law 91-609, Title V-Research and Technology, Section 501- Research and Demonstrations, of The Housing and Urban Development Ad of 1970 [Public Law 91-609; 84
  - Statute 1782;
  - Title 12, United States Code 17012-1 et seq)

## • Department of the Interior

- o Bureau of Indian Affairs (BIA)
  - Title 25, United States Code 13, The Snyder Act of November 02, 1921
  - Title 25, United States Code 461, The Indian Reorganization Act of 1934
  - Title 25, United States Code 450, The Indian Self Determination and Education Assistance Act
- o Bureau of Land Management (BLM)
  - The 1987 Mining Law
  - The Cadastral Survey Authority
  - The Alaska Native Claims Settlement Act
  - The Grazing Act
  - The Federal Land Policy Management Act (FLPMA)
- Fish and Wildlife Service (FWS)
  - The Fish and Wildlife Act of 1956
  - The National Environmental Policy Act of 1969
  - The Endangered Species Act (as Amended in 1982)
  - Executive Order 12862, "Setting Customer Service Standards, September 11, 1993
  - Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations," February 11, 1994
- o <u>U.S. Geological Survey (USGS)</u>
  - Title 42, United States Code 31(a), Appropriations Act of 1879
  - Title 43, United States Code 38, Appropriations Act of 1896
  - Title 43, United States Code 41

#### • Department of the Justice

- o Bureau of Justice Statistics (BJS)
  - Title 42, United States Code 3732, Section 302(c), parts (3) and (7)
- o Civil Rights Division
  - Title 42, United States Code 1973, Section 2(a), Section 2(b) subsection (a), and Section 4(f)(2) subsection (b), Voting Rights Act of 1965
- o Federal Bureau of Investigation (FBI)
  - Title 28, United States Code, Section 534, Uniform Crime Reporting Act of 1930
  - Presidential Directive, June 14, 1971, Police Killed
  - Public Law 97-298, Anti-Arson Act of 1982
  - Title 18, United States Code, Section 7332, Chapter 33, of the Anti-Drug Abuse Act of 1988
  - Title 28, United States Code, Section 534 of the Hate Crime Statistics Act of 1990

#### • Department of Labor

- Bureau of Labor Statistics
  - Title 29, United States Code

#### • Department of State

- 1 Statute 28, July 27, 1789
- o 1 Statute 68, September 15, 1789

#### • Environmental Protection Agency (EPA)

- Title 42, United States Code, Subsection 7401 et seq (1970), The Clean Air Act (CAA)
- Title 33, United States Code, Subsection 121 et seq (1970), The Clean Water Act (CWA)
- Title 42, United States Code, Subsection 9601 et seq (1980), The Comprehensive Environmental Responses, Compensation, and Liability Act (CERCLA or Superfund)
- o Title 42, United States Code 11011 et seq (1986), The Emergency Planning and Community Right-to-Know Act (EPCRA)
- Title 7, United States Code 136; Title 16, United States Code 460 et seq (1973), The Endangered Species Act
- o Title 7, United States Code, Subsection 135 et seq (1972), The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
- Title 42, United States Code, Subsection 4321 et seq (1969), The National Environmental Policy Act (NEPA)
- Title 33, United States Code, Section 2702 to 2761, The Oil Pollution Act of 1990
- Title 42, United States Code 13101 and 13102, Subsection 6602 et seq (1990), The Pollution Prevention Act

- Title 42, United States Code, Subsection 321 et seq (1976), The Resource Conservation and Recovery Act (RCRA)
- Title 43, United States Code, Subsection 300 et seq (1974), The Safe Drinking Water Act (SDWA)
- o Title 42, United States Code 9601 et seq (1968), The Superfund Amendments and Reauthorization Act (SARA)
- Title 15, United States Code, Subsection 2601 et seq (1976), The Toxic Substances Control Act (TSCA)

#### • Department of Homeland Security

- Federal Emergency Management Agency (FEMA)
  - Title 44, Part 2 United States Code 5, Reorganization Plan No. 3, 1978
  - Executive Order 12127 of March 31, 1979
  - Executive Order 12148 of July 20, 1979

#### • National Archives and Records Administration

- Title 44, United States Code, Chapter 21, National Archives and Records Administration
- Title 44, United States Code, Chapter 29, Records Management by the Archivist of the United States and by the Administrator of General Services
- o Title 44, United States Code, Chapter 33, Disposal of Records

## • National Capital Planning Commission; (NCPC)

- Title 40, United States Code, Sections 71-71i, 72, 73, 74 (as amended),
   National Capital Planning Act of 1952
- Public Law 93-198, Sections 203 and,771(b), The District of Columbia Self-Government and Governmental Reorganization Act

## • Social Security Administration (SSA)

- o Title 42, United States Code 405, Section 205, Social Security Act
- o Title 42, United States Code 902, Section 702, Social Security Act

#### • Tennessee Valley Authority (TVA)

48 Statute 58-59, Title 16, United States Code, Section 831 (as amended),
 The Tennessee Valley Authority Act of 1933

#### III. LEAD AGENCY

The Department of Commerce, exercising its responsibility for the coordination, management, and dissemination of cultural and demographic geospatially referenced data, delegates lead agency responsibility to the U.S. Census Bureau. The Census Bureau will develop and implement a plan to coordinate activities related to cultural and demographic spatial data among Federal and non-Federal agencies and will report on its activities to the FGDC. In carrying out its government\_wide leadership in coordinating these data categories, the Census Bureau is directly responsible to the FGDC and will

ensure compliance with the objectives and guidance it provides.

#### IV. SUBCOMMITTEE

The SCDD is established under the authority granted by the Office of Management and Budget (OMB) in its revised Circular A-16 to coordinate government-wide activities related to cultural and demographic geospatially referenced data under the policy guidance and oversight of the FGDC. Coordinating government-wide activities includes development and maintenance of government-wide standards for the description, documentation, and exchange of specific geospatially referenced data categories.

#### V. MEMBERSHIP

The SCDD shall consist of representatives designated by the Federal agencies 1) that collect, or finance the collection of, cultural and demographic geospatially referenced data as part of their mission or 2) that have direct application of these data through legislated mandate. Agency representatives are expected to be persons who are knowledgeable about the use of cultural and demographic geospatially referenced data within their organization. Each member agency of the SCDD shall designate its representative, an alternate if necessary, and changes thereto, by memorandum from that agency to the FGDC Executive Secretary (hereafter called the Executive Secretary). Other Federal organizations may be added with the concurrence of the SCDD Chairperson. Federal organizations can request membership by writing to the Executive Secretary. The SCDD shall be chaired by the representative from the Department of Commerce, U.S. Census Bureau. The SCDD also may invite non-Federal participation, on an ad hoc basis, to provide information and briefings as determined by the needs of the SCDD.

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#### VI. RESPONSIBILITY

Responsibilities of the SCDD include the following:

- Assist the FGDC Coordination Group in promoting the development, maintenance, and management of a National Spatial Data Infrastructure.
- Develop and maintain government-wide standards for the description, documentation, and exchange of geospatially referenced cultural and demographic data. Coordinate with other FGDC subcommittees and working groups and their standards development activities as applicable. Obtain and evaluate for potential applicability the cultural and demographic geospatially referenced data definitions and standards used by other organizations, especially other national and international standards bodies and, when appropriate, incorporate these definitions and standards according to established FGDC procedures. Participate in the development of other national and international standards as appropriate.
- Promote government-wide use of the National Spatial Data Transfer Standard (SDTS) and assist in the development of Federal profiles to facilitate the exchange of cultural and demographic geospatially referenced data.

- Compile information on the activities of Federal agencies that collect and use
  cultural and demographic geospatially referenced data. Identify key cultural and
  demographic geospatially referenced data sets that meet critical national planning
  and management needs. Identify published classification schemes for these data.
  Work to improve access to these data within the restrictions imposed by
  applicable confidentiality and privacy regulations.
- Assist in determining boundary elements and appropriate additional categories of +-cultural and demographic geospatially referenced data significant to a broad variety of users within any geographic area or nationwide for inclusion in the National Digital Geospatial Data Framework ("framework").

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- Develop and maintain appropriate mechanisms for providing technical documentation and metadata about cultural and demographic geospatially referenced data to the government designated information clearinghouse and on the holdings of such data by member agencies participating in the National Geospatial Data Clearinghouse.
- Ensure that the disposition of cultural and demographic geospatially referenced data is carried out in coordination with the requirements of the National Archives and Records Administration (NARA) in order to provide for the permanent preservation of historically valuable cultural and demographic geospatially referenced data and the timely disposal of said data lacking historical value.

#### VII. PROCEDURES

SCDD meetings shall be held at the call of the SCDD Chairperson, and shall be held at least semi-annually. Normally, notification of meeting and an agenda will be distributed to the representatives of the SCDD and to the Executive Secretary 14 days in advance of the meeting. All decisions shall be on the basis of consensus. When consensus is not reached, the SCDD Chairperson will promptly refer the issue to the FGDC Coordination Group for resolution. The SCDD Chairperson shall consult with the Chairperson of the Coordination Group before implementing any SCDD decisions or actions when such decisions or actions may affect any other geospatially referenced data category or concern to the FGDC. The SCDD shall submit its proposed operating plan for the upcoming year to the Executive Secretary for review and concurrence. The SCDD may establish additional rules and procedures for conducting business.

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#### VIII. SUBGROUPS

The SCDD may create working groups, task groups, subgroups, or further subdivisions, at the discretion of the SCDD Chairperson, as appropriate to carry out its activities and meet its responsibilities. The establishment of any subgroup of more than 12 months duration and the abolishment of any such subgroup requires the approval of the FGDC Coordination Group. \_Participation in these groups may be drawn from its member organizations and from other Federal agencies, as appropriate.

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#### IX. COORDINATING MECHANISMS

The SCDD will employ these mechanisms that are best suited to meeting its responsibilities, such as subcommittee meetings, national user forums, annual requirements solicitations, user surveys and analyses, cultural and demographic geospatially referenced data user workshops, research initiatives, and cooperative ventures with the Federal and non-Federal sectors. The SCDD Chairperson will coordinate the SCDD's activities with other FGDC subcommittees, working groups, and other FGDC components. The coordination activities do not need the prior approval of the Coordination Group but that group will be kept informed by the Chairperson's participation on the FGDC Coordination Group.

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#### X. REPORTS

The SCDD shall report to the FGDC Steering Committee annually, by December 31, describing the activities of the SCDD. This annual status report shall be submitted to the Executive Secretary and shall contain accomplishments of the past calendar year, an operating plan for activities planned for the upcoming year, a brief discussion of problems encountered and other matters of interest, including photographs, diagrams, and other materials that may be of value for inclusion in the annual FGDC report to the Office of Management and Budget.

The SCDD shall submit the operating plan for the upcoming year for FGDC Steering
Committee review and concurrence through the FGDC Coordination Group.
Special reports and technical papers describing special projects, coordination with other
subcommittees, and the development of status graphics or catalogs and informational or
educational brochures on the use and availability of cultural and demographic
geospatially referenced data may also be requested by the FGDC during the reporting
period. \_The SCDD Chairperson shall provide a draft report of the SCDD meetings,
including SCDD recommendations and action items, to all SCDD representatives for
review prior to approval. \_The SCDD Chairperson shall provide the final report of SCDD

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meetings to all SCDD representatives, the Executive Secretary and the chairpersons of
the FGDC Coordination Group, subcommittees, and working groups.

#### XI. TERMINATION

The SCDD shall remain in existence until terminated by the FGDC Steering Committee. At that time, the FGDC shall ask the Department of Commerce, U.S. Census Bureau to develop a new exhibit describing how it will undertake its responsibility for coordinating the cultural and demographic geospatially referenced data activities of the Federal Government.